

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NICHOLAS J. PRICE,

Plaintiff,

-against-

ORANGE COUNTY JAIL,

Defendant.

1:25-CV-1227 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff, who is appearing *pro se*, brings this action asserting claims of violations of his federal constitutional rights. For the reason set forth below, the Court dismisses this action without prejudice.

On February 3, 2025, the court received from Plaintiff, who is currently held in the Orange County Jail, a complaint that commenced another civil action that is pending in this court known as *Price v. Orange Cnty. Jail*, 1:25-CV-1024 (UA). Eight days later, on February 11, 2025, the court received from Plaintiff the complaint commencing this action; it is virtually identical to the complaint filed in *Price*, 1:25-CV-1024 (UA). As the complaint filed in this action raises the same claims as those raised in *Price*, 1:25-CV-1024 (UA), no useful purpose would be served by litigating this action. The Court therefore dismisses this action without prejudice as duplicative of *Price*, 1:25-CV-1024 (UA).

CONCLUSION

The Court dismisses this action without prejudice as duplicative of *Price*, 1:25-CV-1024 (UA).

The Court certifies, under 28 U.S.C. § 1915(a)(3), that any appeal from this order would not be taken in good faith and, therefore, *in forma pauperis* status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

The Court directs the Clerk of Court to enter a judgment dismissing this action for the reason set forth in this order.

SO ORDERED.

Dated: February 13, 2025
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge